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10/006,451	11/21/2001	Satoshi Nakajima	41020.P005	9947

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EXAMINER

NATNAEL, PAULO M

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/006,451

Applicant(s)

NAKAJIMA, SATOSHI

Examiner

Paulos M. Natnael

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims pending in the application are 1-3,9-12,14,15,18,20,23,26-29,35,38-40,43-46,50,53,56-59,62,68,70,72,74,76-78,82-86,88-90,93,96, and 99.

Continuation of Disposition of Claims: Claims rejected are 1-3,9-12,14,15,18,20,23,26-29,35,38-40,43-46,50,53,56-59,62,68,70,72,74,76-78,82-86,88-90,93,96 and 99.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1-3,9-12,14,18, 20,23,26-28, 35, 38-40,43-46,50,53,56-59,62,68-**

70,72,74,76-78, 82-86,88-90,93,96,99 are **again** rejected under 35 U.S.C. 102(e) as being anticipated by **Van Ryzin**, U.S. Pat. No. **6,127,941**.

Considering claim **1**, **Van Ryzin** discloses all claimed subject matter, note;

a) providing a remote control, **by a controllee electronic apparatus**, a first collection of user interface displays for controlling the controllee electronic apparatus, is met by the disclosure that "The remote control unit includes a transceiver for transmitting and **receiving control commands to/from multimedia components**, [such as TV 120] which are displayed in the user-friendly format on a display of the remote control unit."
(see abstract) [emphasis added by examiner]

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b) receiving by a controllee electronic apparatus, first control commands from said remote control, resulting from said provided first collection of user interface displays being used by a user of said remote control, is met by the disclosure "to provide a remote control device with a graphical user interface for controlling audio/video devices and for obtaining additional information from a database, as requested from the remote control device", (see col. 2, 19-24) and that "the request for detailed information may include, for example, a request for the TV listing or the VCR plus codes. The PC 136 retrieves the desired information from the database 142, 144 and transmits it to the remote control unit 100." (Col. 6, lines 27-31)

c) controlling operation of said controllee electronic apparatus by said controllee electronic apparatus, in accordance with said received first control commands, is met by the disclosure that "Such information, displayed on the display 104, then becomes available to the user who may browse through the displayed TV listing, for example, or may record the program on the VCR 128 using the displayed VCR plus codes." (Col. 6, lines 31-35)

Considering claim 2, providing the remote control by a controllee electronic apparatus, comprises providing to the remote control, by a controllee electronic apparatus, a first collection of user interface displays having a plurality of display states and associated display state transition rules, is met by the disclosure that "Remote control unit 100 also includes user input section 106 including control keys for allowing the user to enter

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commands. Using the control keys, for example, the user can manipulate graphical representations (objects) on the display 104, that is, move the cursor up, down, right, left along the scroll-down menu, to select the desired function by clicking on the appropriate graphical object (icon), etc." (col. 3, lines 48-54; see also rejection of claim 1(a))

Considering claim 3, providing the remote control by a controllee electronic apparatus, comprises providing to the remote control, by the controllee electronic apparatus, a first collection of user interface displays having a plurality of display cells.

See rejection of claim 2.

Considering claim 9, wherein said first control commands comprise control commands for controlling a plurality of operation characteristics of said controllee electronic apparatus, and said plurality of operation characteristics are selected from a group consisting of power on/off, channel selections, audio volume, picture brightness, and picture color, is met by the disclosure that "For example, if the user selects the TV 120, then a pull-down menu appears on the display 104 with the following functions "increase volume", "decrease volume", "increase channel by 1", "decrease channel by 1" for example. Another pull-down menu appears if more functions are selected, whereby the user may scroll through such additional menus while activating or deactivating desired operations on the TV 120." (col. 5, 44-51)

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Considering claim **10**, providing said remote control, by a controllee electronic apparatus, a second collection of user interface displays for controlling an auxiliary controllee electronic device coupled to said controllee electronic apparatus, is met by the disclosure that "In addition, the remote control device comprises a second transceiver for transmitting to the first transceiver a first signal corresponding to the processed command data such that at least one audio/video device is operative to perform the selected function, and for receiving from the first transceiver a second signal corresponding to status data indicating whether the selected function has been performed." (col. 2, lines 49-56)

Considering claim **11**, providing the remote control , by a controllee electronic apparatus, a second collection of user interface displays for controlling the auxiliary controllee electronic device, comprises providing to the remote control, by a controllee electronic apparatus, a second collection of user interface displays having a plurality of display states and associated display state transition rules.

See rejection of claim 2;

Considering claim **12**, providing the remote control , by a controllee electronic apparatus, a second collection of user interface displays for controlling the auxiliary controllee electronic device, comprises providing to the remote control, by a controllee electronic apparatus, a second collection of user interface displays having a plurality of display cells.

See rejection of claim 3.

Considering claim **14**, receiving by a controllee electronic apparatus, from said auxiliary controllee electronic device specifications of substantive contents of said second collection of user interface displays; and generating by a controllee electronic apparatus, said second collection of user interface displays in accordance with said received specifications, is met by the disclosure that "updates from new devices may be performed via a cable connecting the remote control unit 100 to the PC 136 for downloading new specifications from some storage medium or database, as provided by the manufacturers..." (col. 7, lines 10-20)

Considering claim **18**, receiving by a controllee electronic apparatus, second control commands from said remote control, by a controllee electronic apparatus, resulted from provided second collection of user interface displays being used by said user of said remote control; and controlling operation of said auxiliary controllee electronic device, by a controllee electronic apparatus, in accordance with said received second control commands.

See rejection of claim 1.

Considering claim **20**, relaying the received second commands to the auxiliary controllee electronic device, by a controllee electronic apparatus, comprises relaying by the controllee electronic apparatus, the received second commands, to the auxiliary

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controllee electronic device, is met by the disclosure that "The devices are interconnected via a serial control link which operates in the following manner. If commands are received by a particular device which are not directed thereto, this device merely passes the commands to the next device along the serial control link. The protocol is designed in such a way that each device either responds to the commands or passes them through. Similarly, when a particular device sends information via the serial control link, other devices simply function as pass-through components. (col. 4, lines 28-33)

Considering claim **23**, control commands for controlling a plurality of operation characteristics of said auxiliary controllee electronic device, and said plurality of operation characteristics are selected from a group consisting of power on/off, play, fast forward, reverse, pause, stop, audio volume, picture brightness, and picture color.

See rejection of claim 9.

Considering claim **26**, a method of operation comprising:

providing to a primary controllee electronic device, by a controllee electronic apparatus, specifications for a collection of user interface displays having associated control commands for controlling the auxiliary controllee electronic device for the primary controllee electronic device to generate and provide the collection of user interface displays having associated control commands to remote control;

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receiving by the auxiliary controllee electronic device control commands, originated from said remote control, the control commands being resulted from said provided collection of user interface displays having associated control commands being used by a user of said remote control; and controlling operation of said auxiliary controllee electronic device by the auxiliary controllee electronic device, in accordance with said received control commands.

Regarding claim 26, see rejection of claim 1.

Considering claim 27, providing to a primary controllee electronic device, by a controllee electronic apparatus, specifications for a collection of user interface displays having associated control commands for controlling the auxiliary controllee electronic device, comprises providing to a primary controllee electronic device, by the auxiliary controllee electronic device, having specifications for a collection of user interface displays having associated a plurality of display states and associated display state transition rules.

Regarding claim 26, see rejection of claim 2.

Considering claim 28, providing to a primary controllee electronic device, by a controllee electronic apparatus, specifications for a collection of user interface displays having associated control commands, for controlling the auxiliary controllee electronic device, comprises providing specifications for a collection of user interface displays having a plurality of display cells.

See rejection of claim 3.

Considering claim **35**, control commands for controlling a plurality of operation characteristics of said auxiliary controllee electronic device, and said plurality of operation characteristics are selected a group consisting of power on/off, play, fast forward, reverse, pause, stop, audio volume, picture brightness, and picture color.

See rejection of claim 9.

Considering claim **38**, receiving by a remote control from a primary controllee electronic device a first collection of user interface displays having associated control commands for controlling a primary controllee electronic device;
facilitating usage of the first collection of user interface displays by a user by the remote control, to control the primary controllee electronic device; and providing first control commands to the primary controllee electronic device, by the remote control, to control the primary controllee electronic device in response to said usage of the 8 first collection of user interface displays.

As for Claim 38, see rejection of claim 1;

Considering claim **39**, providing to a primary controllee electronic device, by a controllee electronic apparatus, specifications for a collection of user interface displays having associated control commands for controlling the auxiliary controllee electronic device, comprises providing to a primary controllee electronic device, by the auxiliary controllee electronic device, having , specifications for a collection of user interface displays

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having associated a plurality of display states and associated display state transition rules.

See rejection of claim 27.

Considering claim **40**, providing to a primary controllee electronic device, by a controllee electronic apparatus, specifications for a collection of user interface displays having associated control commands, for controlling the auxiliary controllee electronic device, comprises providing specifications for a collection of user interface displays having a plurality of display cells.

See rejection of claim 28.

Considering claim **43**, control commands for controlling a plurality of operation characteristics of said primary controllee electronic device, and said plurality of operation characteristics are selected the group consisting of power on/off, channel selections, audio volume, picture brightness, and picture color.

See rejection of claim 9 and 35.

Considering claim **44**, receiving by the remote control a second collection of user interface displays having associated control commands, from the primary controllee electronic device for controlling an auxiliary controllee electronic device coupled to the primary controllee electronic device; facilitating usage of the second collection of user interface displays by a user, by the remote control, to remotely control the auxiliary

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controllee electronic device; and providing second control commands either directly or indirectly to the auxiliary controllee electronic device, by the remote control, to control the auxiliary controllee electronic device in response to said usage of the second collection of user interface displays.

See rejection of claim 1.

Considering claim **45**, see rejection of claim 2.

Considering claim **46**, see rejection of claim 3.

Considering claim **50**, wherein said second control commands comprise control commands for controlling a plurality of operation characteristics of said auxiliary controllee electronic device, and said plurality of operation characteristics are selected from a group consisting of power on/off, play, fast forward, reverse, pause, stop, audio volume, picture brightness, and picture color.

See rejection of claim 9.

Considering claim **53**,

a) first means to provide a remote control, from a controllee electronic apparatus with a first collection of user interface displays having associated control commands for controlling the controllee electronic apparatus, and to receive into the controllee apparatus first control commands from said remote control, the first control commands

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resulted from said first collection of user interface displays being used by a user of said remote control, is met by PC 136, figs. 1A and 2;

b) second means to control operation of said controllee electronic apparatus in accordance with said received first control commands, is met by Remote Control 100, figs. 1A and 2; (See also rejection of claim 1)

Considering claim **56**, wherein the apparatus further comprises a connection interface adapted to provide a connection selected from a group consisting of a wireless optical connection operated in accordance with a wireless optical communication protocol, a wireless electro-magnetic connection operated in accordance with a wireless communication protocol, and a wired electrical connection operated in accordance with a wired communication protocol, and said first means is adapted to provide to the remote control from the controllee electronic apparatus with the first collection of user interface displays through the connection selected from the group, is met by the RF transceiver 132 or 138, Figs. 1a and 2;

Considering claim **57**, see rejection of claim 5.

Considering claim **59**, see rejection of claim 7.

Considering claim **62**, see rejection of claim 10;

Considering claim **68**, see rejection of claim 4.

Considering claim **69**, see rejection of claim 17.

Considering claim **70**, see rejection of claim 16.

Considering claim **72**, see rejection of claim 20.

Considering claim **74**, see rejection of claim 22.

Considering claim **76**, wherein said controllee electronic apparatus is a 2 TV, is met by TV 120, figs. 1a and 2;

Considering claim **77**, see rejection of claim 25;

Considering claim **78**, see rejection of claims 1 and 53.

Considering claim **82**, see rejection of claim 4.

Considering claim **83**, see rejection of claim 17.

Considering claim **84**, see rejection of claim 4.

Considering claim **85**, see rejection of claim 4.

Considering claim **86**, see rejection of claim 22;

Considering claim **88**, see rejection of claim 24.

Considering claim **89**, see rejection of claim 22 or 25;

Considering claim **90**, see rejection of claim 1;

Considering claim **93**, see rejection of claim 4;

Considering claim **96**, see rejection of claim 1;

Considering claim **99**, see rejection of claim 4.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **15, 29, 58, 66**, are again rejected under 35 U.S.C. 103(a) as being unpatentable over **Van Ryzin**, U.S. Pat. No. **6,127,941**.

Considering claim **15**, the method of claim 14, wherein said receiving of specifications of the substantive contents of said second collection of user interface displays comprises receiving from said auxiliary controllee electronic device an XML based specification.

Regarding claim 15, Van Ryzin does not specifically disclose XML based specification. Van Ryzin discloses "updates from new devices may be performed via a cable connecting the remote control unit 100 to the PC 136 for downloading new specifications from some storage medium or database, as provided by the manufacturers..." (col. 7, lines 10-20)

However, the Examiner here takes Official Notice in that the extensible markup language (XML) is well-known in the art and, therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Van Ryzin by providing the XML standard in order to make it easier to create a better graphical user interface.

Considering claim **29**, see rejection of claim 15.

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Considering claim **58**, the apparatus of claim 56, wherein said first means provides the remote control with the first collection of user interface displays through a wireless electro magnetic communication connection, using a selected one of a Bluetooth and an IEEE 802.11 standard based wireless communication protocol

Regarding claim 6, Van Ryzin does not specifically disclose Bluetooth and an IEEE 802.11 standard based wireless communication protocol. Van Ryzin however, discloses that different types of communication protocol may be used. Nevertheless, the Examiner takes Official Notice in that the IEEE 802.11 standard is well-known in the art and, therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Van Ryzin to provide the advantage of using another type of communication protocol so that the system is made versatile and more useful to the user.

Considering claim **66**, see rejection of claim 15.

Response to Arguments

5. Applicant's arguments filed 3/30/05 have been fully considered but they are not persuasive. Applicant argues:

Therefore, the method requires, inter alia, that the "controllee electronic apparatus" send the "remote control ... user interface displays having associated command codes ... to control the controllee electronic apparatus. For example, in one embodiment of the present invention, a device, such as a TV, is initializing and/or programming a universal remote control by sending the necessary user interface displays having command codes needed to operate the TV.

Thus, the claim language requires the controllee electronic apparatus to send to the remote control device (a) the user interface (for controlling the controllee electronic apparatus), and (b) the sent user interface having associated command codes (to control the controllee electronic apparatus).

In contrast, notwithstanding the passage cited by the Examiner, it is clear that Van Ryzin merely teaches a remote control unit receiving its user interface to control various multimedia components from a cartridge removably inserted into the remote control unit. See e.g. col. Lines 57-60, where it is stated "Further included in the remote control unit 100 is a cartridge 110 which plugs into the remote control unit 100 for storing software (a binary program). This software contains specifications for controlling and operating multimedia components ..."

Thus, it is amply clear, regardless of the nature of the commands that may be sent from the multimedia components to the remote control unit during operation, e.g. an ID code from a T.V.; or program specifications for various multimedia devices, VCR codes and T.V. listings retrieved by the remote control from a

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personal computer, these provision/transmission of commands from the multimedia components to the remote control unit do not include the user interface displays that get displayed on the remote control unit for the user to interact to control the multimedia component. As stated earlier, the user interface come from the software provided through the removal cartridge. Accordingly, for at least these reasons, Van Ryzin fails to teach or suggest claim I's operation of the "controllee apparatus" sending the "remote control ... user interface displays having associated command codes ... to control the controllee electronic apparatus".

The examiner submits that the applicant avoids the fact that the data received or obtained from the storage device (cartridge) is merely additional information that can be obtained and not the only way of obtaining reception data. Van Ryzin clearly and unambiguously teaches that "The remote control unit 100 also includes a transmitter/receiver (transceiver 116) for transmitting and **receiving control commands to/from multimedia components, which are displayed in the user-friendly format on a display of the remote control unit. The user can scroll, select, browse, etc. through various menu items on the display, and activate any desired function on the multimedia system component by selecting the desired representation of that function on the display.** In addition, the remote control unit communicates, also through wireless transmission, with a personal computer and obtains information from

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remote or local databases for either controlling or enhancing the operation of the multimedia system devices. See abstract of the disclosure.

Please note that the control commands are displayed on the display of the remote control unit and that they can be accessed because they are displayed as menu items which the user can scroll and select. It is notoriously well known in the art of television and computers, that menu items displayed on a display screen make use of a familiar name: graphical user interface (GUI). It is clear from this disclosure that Van Ryzin receives through the transceiver 116 commands formatted as GUI and displayed certainly as such so that the user can manipulate and select the desired item from the menu. Therefore, the arguments are unpersuasive because Van Ryzin meets the claimed interface/commands sent and received by a controllee device to the remote controller.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

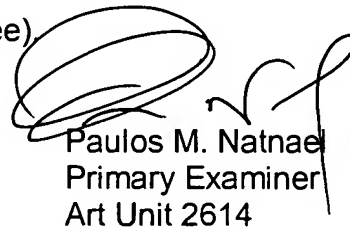
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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 10:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571)272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paulos M. Natnael
Primary Examiner
Art Unit 2614

July 5, 2005